



1614

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/574,677
Filing Date	April 3, 2006
First Named Inventor	Bond
Art Unit	1614
Examiner Name	TBD
Attorney Docket Number	8077-003-US

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
- Self-Addressed, Stamped Postcard |
|---|---|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	CATALYST LAW GROUP, APC		
Signature	<i>Michael B. Farber</i>		
Printed name	Michael B. Farber, Ph.D., Esq.		
Date	September 28, 2006	Reg. No.	32,612

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Sara Hare</i>		
Typed or printed name	Sara Hare	Date	September 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
10/574,677

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: To Be Assigned
)	
Bond)	Group Art Unit: 1614
)	
Serial No.: 10/574,677)	Docket No.: 8077-003-US
)	
Filed: April 3, 2006)	Date Mailed: September 28, 2006
)	
For: METHOD OF TREATING)	
AIRWAY DISEASES WITH BETA-)	
ADRENERGIC INVERSE AGONISTS)	
)	
)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: Amendment
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This document is a Supplemental Information Disclosure Statement to the above-cited patent application.

Attached is at least one form PTO/SB/08A/B listing documents believed relevant to the subject application. The submission of the following information is not intended, nor should it be construed, to constitute an admission that any patent, article, or other information referred to herein is "prior art" unless specifically designated as such. In accordance with 37 C.F.R. § 1.97(b), the filing of this information shall not be construed to mean that a search has

been made or that no other material information may exist. Neither should its submission be construed to indicate that a thorough search should not be conducted by the Examiner.

It is believed that this disclosure complies with the requirements of 37 C.F.R. § 1.96, § 1.97, and § 1.98 and the Manual of Patent Examining Procedures § 707.05(b). If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be telephoned at (858) 450-0099 x 302 so that any deficiencies can be remedied.

This Supplemental Information Disclosure Statement is being submitted before the mailing date of an Office Action on the merits for the above-identified patent application. Accordingly, no fee is due for the filing of this Information Disclosure Statement under 37 C.F.R. § 1.97(b)(2).

A copy of each document is enclosed, except for issued United States patents and published United States patent applications pursuant to 37 C.F.R. § 1.98(a)(2)(ii). Some of the documents may have markings thereon. No significance is to be attached to the markings. These documents are not necessarily analogous art. Additionally, the order of the following documents is to be accorded no particular import, as the order thereof is completely fortuitous.

It is respectfully requested that these documents be: (1) fully considered by the Patent and Trademark Office during the prosecution of this application; and (2) represented on any patent which may issue on the application. Applicant respectfully requests that copies of the forms PTO/SB/08A/B, as considered and initialed by the Examiner, be returned with the next communication.

A publication, a package insert for Betapace AF (sotalol hydrochloride), Berlex, Montville, NJ 07045, 2004.

A publication, prescribing information for Coreg (carvedilol), GlaxoSmithKline, Research Triangle Park, NC 27709, October 2003.

A publication, a package insert for Corgard tablets (nadolol), Monarch Pharmaceuticals, Bristol, TN 37620, October 2001.


A publication, prescribing information for Inderal (propranolol hydrochloride), Wyeth Pharmaceuticals Inc., Philadelphia, PA 19101, August 2006, included for information only; not to be considered as prior art as a result of its publication date being subsequent to the priority date of the above-identified patent application.

A publication, R.S. McNeill, "Effect of a β -Adrenergic-Blocking Agent, Propranolol, on Asthmatics," The Lancet (November 21, 1964), pp. 1101-1102.

A publication, J.M Raine et al., "Near-Fatal Bronchospasm After Oral Nadolol in a Young Asthmatic and Response to Ventilation With Halothane," Brit. Med. J. 282: 548-549 (1981).

A publication, prescribing information for Sterile Ophthalmic Gel Forming Solution Timoptic-XE (timolol maleate), Merck & Co., Whitehouse Station, NJ 08889, March 2001.

Respectfully submitted,


Michael B. Farber, Ph.D., Esq.
Reg. No.: 32,612

Date: September 28, 2006

CATALYST LAW GROUP, APC
9710 Scranton Road, Suite 170
San Diego, California 92121
(858) 450-0099
(858) 450-9834 (Fax)



PTO/SB/08B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Application Number 10/574,677**Filing Date** April 3, 2006**First Named Inventor** Bond**Art Unit** 1614**Examiner Name** TBD**Attorney Docket Number** 8077-003-US

Sheet

1

of

1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		A publication, a package insert for Betapace AF (sotalol hydrochloride), Berlex, Montville, NJ 07045, 2004.	
		A publication, prescribing information for Coreg (carvedilol), GlaxoSmithKline, Research Triangle Park, NC 27709, October 2003.	
		A publication, a package insert for Corgard tablets (nadolol), Monarch Pharmaceuticals, Bristol, TN 37620, October 2001.	
		A publication, prescribing information for Inderal (propranolol hydrochloride), Wyeth Pharmaceuticals Inc., Philadelphia, PA 19101, August 2006.	
		R.S. MCNEILL, "Effect of a α -Adrenergic-Blocking Agent, Propranolol, on Asthmatics," The Lancet (November 21, 1964), pp. 1101-1102.	
		J.M RAINÉ et al., "Near-Fatal Bronchospasm After Oral Nadolol in a Young Asthmatic and Response to Ventilation With Halothane," Brit. Med. J. 282: 548-549 (1981).	
		A publication, prescribing information for Sterile Ophthalmic Gel Forming Solution Timoptic-XE (timolol maleate), Merck & Co., Whitehouse Station, NJ 08889, March 2001.	

Examiner Signature		Date Considered	
-------------------------------	--	----------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.